

JUL 28 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

ADRIAN PICHARDO-CRUZ; OLIVIA
URBINA-LEON,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-71363

Agency Nos. A95-583-062
A95-583-063

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006**

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Adrian Pichardo-Cruz and Olivia Urbina-Leon, married natives and citizens
of Mexico, petition pro se for review of the Board of Immigration Appeals' order

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

dismissing their appeal from an immigration judge's decision denying their applications for cancellation of removal. We dismiss the petition for review.

We lack jurisdiction to review the agency's discretionary determination that the petitioners failed to show exceptional and extremely unusual hardship. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 929-30 (9th Cir. 2005). To the extent the petitioners contend they were denied due process because the agency improperly weighed and disregarded evidence, the contention is not supported by the record and does not amount to a colorable constitutional claim. *See id.* at 930 (“[t]raditional abuse of discretion challenges recast as alleged due process violations do not constitute colorable constitutional claims that would invoke our jurisdiction.”).

PETITION FOR REVIEW DISMISSED.